



BOARD OF SUPERVISORS REGULAR MEETING
MONDAY, NOVEMBER 21, 2016
6:30 AM

[Susan M. Adams](#), County Administrator

153A Morton Lane, Appomattox, VA 24522
www.AppomattoxCountyVA.gov

1. [16-0301](#)

Special Called Meeting - Work Session (5:30 PM)

A special called meeting of the Appomattox County Board of Supervisors has been scheduled in accordance with §15.2-1418 of the Code of Virginia, 1950, as amended. The date and time of this special meeting shall be at 5:30 P.M. on Monday, November 21, 2016 at the Board of Supervisors meeting room located at 171 Price Lane, Appomattox, Virginia. The stated purpose of this meeting will be to hold a work session to discuss the following items: license fee; tax valuation and Humane Society Lease Agreement.

BOARD OF SUPERVISORS (6:30 PM)

Handicap Accessibility Statement
Call to Order
Invocation- Ms. Sara Carter
Pledge of Allegiance
Setting of Agenda

CITIZEN PUBLIC COMMENT PERIOD

This time is provided by the Board to allow citizens the opportunity to address the Board on issues of importance to the citizen. No individual citizen shall be permitted to address the Board for more than three (3) minutes.

APPEARANCES

These scheduled times are provided by the Board to allow citizens and organizations outside the County Government to discuss matters of importance with the Board.

PUBLIC HEARING (7:00 PM)

2. [16-0288](#)

Public Hearing-CUP16-0602-Spring Grove Properties LLC

CUP16-0602 Spring Grove Properties, LLC (owner), Barry Clarkson (agent) has applied for a conditional use permit to operate a Wedding facility/Multi-purpose facility (indoor/outdoor gatherings) on property located at 4414 Spring Grove Road, Spout Spring, Virginia. The property is zoned A-1, Agricultural Zoning District and is identified as Tax Map Identification Number 37 (A) 1A. The project will utilize approximately 2 acres of an approximately 123.13 acre farm.

Documents: [CUP160602 BoS Packet.pdf](#)

3. [16-0312](#)

Proposed Lynchburg Humane Society Lease

A public hearing that has been duly advertised is being held to receive public comment on the proposed lease agreement with the Lynchburg Humane Society. A "draft" copy is attached for your review and Ms. Makena Yarbrough,

Executive Director, Lynchburg Humane Society, has prepared a presentation and will address questions/concerns directed from the Board.

Documents: [Cty of APPO and LHS Agreement and Lease2016\(1\).docx](#)

ADMINISTRATOR'S REPORT

ATTORNEY'S REPORT

ACTION ITEMS

4. [16-0313](#) **Consideration for Approval of the Lynchburg Humane Society Lease**

A public hearing was held, comments received concerning the Board's consideration to enter into a Lease Agreement with the Lynchburg Humane Society. The County Attorney, the Board of Supervisors and the Lynchburg Humane Society received a copy of the lease and submitted suggested changes prior to the Public Hearing advertisement.

Staff Recommendation: Staff recommends the Board's consideration to approve the "proposed" lease with the Lynchburg Humane Society.
5. [16-0290](#) **Resolution_CUP16-0602_Spring Grove Properties LLC**

At the October regular meeting of the Planning Commission, the Planning Commission unanimously recommended approval of the conditional use permit for Spring Grove Properties LLC.

A resolution with the Planning Commission's recommendation has been prepared for your consideration.

Documents: [Res Appl BoS.pdf](#)
6. [16-0287](#) **Resolution for VDOT Land Use Permit**

During a recent discussion with the VDOT Transportation and Land Use Director for the Lynchburg District, it was suggested that the County adopt a general resolution assuring the County's compliance with Land Use Permit regulations on County projects that impact the right of way, such as utility work, wayfinding signs, etc.. This resolution would be a continuing resolution and would enable the County to expedite the VDOT permitting process for these types of projects in lieu of having to post a surety.

If you have any questions, staff will be available to assist.

Documents: [Res Land Use Permit VDOT.docx](#)
7. [16-0306](#) **VDOT Request for Benjamin Estates**

Attached for your review and consideration for adoption is a Secondary System of State Highways Resolution from Kimberly McMahan, Staff Engineer Appomattox Residency, requesting to add the maintenance of Marston Street,

State Route Number 1072, to the Appomattox County Secondary Road System. Marston Street has been constructed by the subdivider as a Class "A" subdivision in accordance with the Transportation's Subdivision street requirements.

Staff Recommendation: Adoption of the attached resolution and to authorize the County Administrator to sign the document.

Documents: [Resolution-VDOT.pdf](#)

8. [16-0310](#)

VDOT Resolution - Secondary to Primary Road Funds Resolution

Please review and consider for adoption the attached Resolution authorizing the Virginia Department of Transportation to utilize Secondary Road Funds to fund a Primary Road project. VDOT has identified existing Appomattox County Secondary Road funds that are eligible to be transferred to a Primary Road project, improvement of Route 460-Left and Right Turn Lane at Route 630, 0.076 mile west of Route 630 to 0.076 mile east of Route 630 (Project #: 6460-006-648).

Staff Recommendation: Adopt the attached resolution authorizing VDOT to utilize the identified Secondary Road Funds to fund the Primary Road Project, improvement of Route 460-Left and Right Turn Lane at Route 630 and to authorize the County Administrator to sign the document.

Documents: [Reolution-VDOT-transfer use of Secondary Road Funds.pdf](#)

9. [16-0303](#)

Resolution in Support of Equal Rights of Counties in the Commonwealth

The Virginia Code, Section 58.1-3831, states that certain counties, Fairfax and Arlington, by ordinance have been granted the authority to levy a tax on the sale of cigarettes. Other counties, such as Appomattox, in Virginia can only levy the tax through referendum and are working collaboratively by adoption of the attached resolution to leverage support through the General Assembly to pass legislation allowing all counties in Virginia to have the power to levy the tax on cigarettes by ordinance.

Staff Recommendation: Review and consider for adoption of the attached resolution requesting that Section 58.1-3831 of the Code of Virginia be amended to allow all Virginia Counties to have the power to levy tax upon the sale or use of cigarettes.

Documents: [Reolution-Equal Rights of Communities in Commonwealth.pdf](#)

10. [16-0311](#)

Town of Appomattox Services Agreement for Zoning/Plan Review

The Town is requesting temporary assistance with the administration of the requirements of the Town's Zoning Ordinance and to allow Mr. Roark, Community Development Director, to review the documents until a Town Manager can be hired. The terms of the agreement was discussed with the County Administrator and the attached document was prepared for the Board's consideration for approval.

Staff Recommendation: Approve the attached agreement with the Town requesting temporary assistance with the Town's review of the zoning requests.

Documents: [Services Agreement for ZoningPlan Review.pdf](#)

11. [16-0309](#)

Request from Pastor Watson, Bible Baptist Church

Please see the attached request from Pastor Watson to add a "petting zoo" to the annual Community Live Nativity at Courtland Field on Saturday, December 3rd, 3:30 - 5:00 pm. All the animals will be caged or in a temporary fence and the church will be responsible for the cleanup of the grounds.

Note: Bible Baptist Church will hold a 6:00 pm and a 7:00 pm Live Nativity show.

Staff recommends the Board's approval for Bible Baptist Church to add a "petting zoo" to the annual Community Live Nativity event at Courtland Field on Saturday, December 3rd.

Documents: [Request to use Courtland Field.pdf](#)

COMMITTEE APPOINTMENTS

12. [16-0316](#)

Economic Development Authority Appointments

Please nominate and appoint three (3) representatives to fill the following vacated unexpired terms:

Vacant- Term expires December 31, 2018

Vacant- Term expires December 31, 2018

Vacant- Term expires December 31, 2018

Staff Recommendation: Appoint three (3) citizens to fill the vacated unexpired terms.

CONSENT AGENDA

The Consent Agenda includes approval of all Bills, Minutes, Supplemental Appropriations, Line Item Transfers, and Fund Transfers. Any item on the Consent Agenda shall be removed from the Consent Agenda at the request of any Board member prior to the vote on the Consent Agenda. Items removed from the Consent Agenda shall be considered by the Board individually in order in which they were removed from the Consent Agenda immediately following consideration of the Consent Agenda.

13. [16-0315](#)

Approval of Invoices

Please review and consider for approval the following invoices submitted for payment reports:

November 7, 2016 - \$ 22,703.66

November 17, 2016 - \$ 277,333.89

TOTAL AMOUNT: \$300,037.55

Staff Recommendation: Approve invoices for payment for the month of November in the amount of \$300,037.55

Documents: [Invoice 11-7-2016.pdf](#), [Invoice 11-21-2016.pdf](#)

14. [16-0289](#)

Minutes

Please review the following DRAFT minutes for additions, corrections or questions:

June 20, 2016 - Special Meeting

June 20, 2016 - Regular Meeting

July 18, 2016 - Regular Meeting

August 15, 2016- Regular Meeting

August 30, 2016-Joint Meeting with Town Council

Documents: [Minutes-Special Meeting 6-20-2016.pdf](#), [Minutes-Regular Meeting 6-20-2016.pdf](#), [Minutes-Regular Meeting 7-18-2016.pdf](#), [Minutes-Regular Meeting 8-15-2016.pdf](#), [Minutes-Joint Meeting 8-30-2016.pdf](#)

15. [16-0291](#)

J. Robert Jamerson Memorial Library

Please supplement by consent and appropriate the following:

7301-5411 Books \$140.45

7301-5401 Office Supplies \$992.36

7301-5840 Special Library Fund \$149.97

TOTAL: \$1,282.78

Staff Recommendation: No new local funds are required.

16. [16-0292](#)

Appomattox County Sheriff's Department

Please supplement by consent and appropriate the following:

| | | | |
|-----------|---|-------------|-----------------------|
| 3102-1002 | Sheriff's Overtime at the Appomattox County High School | \$1,305.26 | RE: Officer Security |
| 3102-1002 | Sheriff's Overtime at Carwile Auctions | \$ 279.63 | RE: Officer security |
| 3102-3002 | Insurance Worker's Comp Claim | \$ 17.77 | RE: VaCorp Insurance- |
| 3106-5401 | Office Supplies Shop With A Cop Program | \$ 1,200.00 | RE: Walmart Grant- |
| 4209-5804 | Recycling Funds scrap metal by road crew | \$ 174.00 | RE: Cans recycled to |

Staff Recommendation: No new local funds are required.

17. [16-0293](#)

Board of Supervisors - Operating Reserve

Please supplement by consent and appropriate the following:

| | | | |
|-----------|-------------------|-----------|--|
| 1101-5804 | Operating Reserve | \$2367.48 | RE: Reimbursement from PCHP Ins. -Broker Overpayment |
|-----------|-------------------|-----------|--|

Staff Recommendation: No new local funds are required.

18. [16-0294](#)

Social Services Department

Please supplement by consent and appropriate the following:

| | | | |
|-----------|------------|------------|--|
| 5301-2002 | VRS | \$9,520.12 | |
| 5301-2006 | Group Life | \$ 697.79 | |
| 5301-2002 | ICMA-RC | \$ 258.72 | |

RE: Reimbursement for October 2016 Payroll

Staff Recommendation: No new local funds are required.

19. [16-0295](#)

AWAG Contribution

Please supplement by consent and appropriate \$390.00 to 7109-5631 Animal Welfare Action Group

RE: Reimbursement received from the State for the Animal Friendly License Plates

Staff Recommendation: No new local funds are required.

20. [16-0296](#)

Animal Control Department

Please transfer by consent **\$5,000 from 7109-5631 AWAG Contribution to 3501-5404 Medical Lab Supplies.**

RE: The County received a request from AWAG that these funds be utilized by the County for the animal healthcare needs.

Staff Recommendation: No new local funds are required.

21. [16-0298](#)

Commissioner of Revenue Reimbursement

Please supplement by consent and appropriate \$18.00 to 1209-5504 Travel/Education.

RE: Reimbursement received from S. Henderson for a parking fee that had been previously been charged to the County's credit card.

Staff Recommendation: No new local funds are required.

22. [16-0299](#)

Sheriff's Department Drug Investigation Fund

Please supplement by consent and appropriate \$5,000 to 3102-3010 Drug Investigation Fund.

RE: Sheriff Investigation/Narcotics

Staff Recommendation: No new local funds are required.

23. [16-0300](#)

Sheriff Investigation/Narcotics Fund Transfer

Please transfer \$5,000 from the Sheriff Investigation/Narcotics Fund to the General Fund. These funds will be supplemented to 3102-3010.

Staff Recommendation: No new local funds are required.

24. [16-0304](#)

Law Library Fund Transfer

Action Request #1: Please transfer \$253.77 from the Law Library Fund to the General Fund.

Action Request #2: Please supplement by consent and appropriate \$253.77 to 2101-5804 Law Library per request from the Circuit Court Clerk.

Staff Recommendation: No new local funds are required.

25. [16-0317](#)

150th Sesquicentennial Fund Transfer

Please transfer by consent \$100,000 from the 150th Sesquicentennial Fund to the General Fund.

RE: The \$100,000 contribution was received from the State in July 2015 to offset the expenses from the Appomattox 150th Sesquicentennial event and the Treasurer deposited the monies into the designated fund.

Staff Recommendation: Authorize the Treasurer to transfer \$100,000 from the said designated fund to the General Fund.

**ITEMS REMOVED FROM CONSENT
REPORTS AND INFORMATIONAL ITEMS**

26. [16-0302](#) **Robert E. Lee Soil & Water Conservation District**
Attached for your review is a copy of the September 22, 2016 Monthly Board of Directors meeting.
Documents: [Robert E. Lee Soil & Water.pdf](#)
27. [16-0305](#) **Letter of Appreciation**
Please see the attached letter from The American Civil War Museum thanking the County for its annual monetary support.
Documents: [Letter- Americal Civil War Museum.pdf](#)
28. [16-0307](#) **Appomattox County Public Schools Financial Report**
Attached for your review is a copy of the October 2016, Month-End Financial Report from Dr. Grasty.
Documents: [Appomattox County Public School Financial Report.pdf](#)
29. [16-0308](#) **Animal Shelter October 2016 Report**
Attached for your review is a copy of the October 2106 report from the Appomattox County Animal Shelter.
Documents: [Animal Shelter Report -October.pdf](#)
30. [16-0314](#) **Auditor of Public Accounts Letter**
Attached is a letter concerning an audit of the Commonwealth collections and remittances of the Treasurer, Commissioner of Revenue, and Sheriff for the year ended June 30, 2016. The results of our tests found the Constitutional Officers complied, in all material respects, with state laws, regulations and other procedures relating to the receipt, disbursement, and custody of state funds.

Documents: [Letter - Auditor of Public Accounts.pdf](#)

CLOSED SESSION-2.2-3711 (1) A - Personnel

SUPERVISOR CONCERNS

This time is for individual Board members to share information with other members of the Board and the public. Items presented under this heading requiring action will be for a future meeting agenda or to request

additional information from staff members. No item presented under this heading shall be acted upon at this meeting without the unanimous consensus of the Board.

UPCOMING MEETINGS

Monday, December 19, 2016 @ 5:00 PM

Joint Meeting/Dinner with Extension Office
Community Center
220 Community Lane, Appomattox, Virginia

Monday, December 19, 2016 @ 6:30 PM

Regular Scheduled Meeting
Board of Supervisors Meeting Room
171 Price Lane, Appomattox, Virginia

ADJOURNMENT